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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

09/930,756

**Applicant(s)**

WAKAHARA, TATSUYA

**Examiner**

GELEK TOPGYAL

**Art Unit**

2481

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-6,8-10,12-14,18-25,28,31,32,34 and 55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8-10,12-14,18-25,28,31,32,34 and 55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/16/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/12/2010 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-2, 4-6, 8-10, 12-14, 18-25, 28-, 31-32, 34 and 55 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 9, 10, 12 and 55** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims recite, *inter alia*, "A computer readable medium storing a computer-readable program ..." After close inspection, the Examiner respectfully notes that the disclosure, as a whole, does not specifically identify what may be included as a computer readable medium and what is not to be included as a computer readable medium.

An Examiner is obliged to give claims their broadest reasonable interpretation consistent with the specification during examination. The broadest reasonable interpretation of a claim drawn to a computer readable medium (also called machine readable medium and other such variations) typically covers forms of non-transitory tangible media and transitory propagating signals *per se* in view of the ordinary and customary meaning of computer readable media, particularly when the specification is silent. See MPEP 2111.01. When the broadest reasonable interpretation of a claim covers a signal, *per se*, the claim must be rejected under 35 U.S.C. § 101 as covering non-statutory subject matter.

Therefore, given the silence of the disclosure and the broadest reasonable interpretation, the computer readable medium of the claim may include transitory propagating signals. As a result, the claim pertains to non-statutory subject matter.

However, the Examiner respectfully submits a claim drawn to such a computer readable medium that covers both transitory and non-transitory embodiments may be amended to narrow the claim to cover only statutory embodiments to avoid a rejection under 35 U.S.C. § 101 by adding the limitation "non-transitory" to the claim. Such an amendment would typically not raise the issue of new matter, even when the specification is silent because the broadest reasonable interpretation relies on the ordinary and customary meaning that includes signals *per se*. For additional information, please see the Patents' Official Gazette notice published February 23, 2010 (1351 OG 212).

Furthermore, it is suggested by the examiner that the applicants amend the medium claims 9, 10, 12 and 55 to recite "a non-transitory recording medium", as the term "recording medium" is commensurate with the instant specification.

5. **Claims 5, 6, 8 and 34** are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Supreme Court precedent and recent Federal Circuit decisions indicate that a statutory "process" under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing. While the instant claims recite a series of steps or acts to be performed, the claims neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process. For example, an information processing method characterized by comprising (1) judging, analyzing, and controlling steps is of sufficient breadth that it would be reasonably interpreted as a series of steps completely performed mentally, verbally or without a machine.

6. **Claims 1, 2, 4, 13, 14, 18-25, 28, 31 and 32** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. It is noted that the specification discloses: " A series of processing steps as described above can be implemented using hardware or software" (paragraph 0086 of corresponding PGPUB 20020085311). As evidenced by the specification it appears that said claimed device

and system is capable of reading on software and as such does not fall into any statutory class of invention. Computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

***35 USC § 112, sixth paragraph***

MPEP 2181 discloses that a claim limitation will be presumed to invoke 35 U.S.C. 112, sixth paragraph if it meets the following 3-prong analysis: (A) the claim limitations must use the phrase "means for" or "step for;" (B) the "means for" or "step for" must be modified by functional language; (C) the phrase "means for" or "step for" must not be modified by sufficient structure, material, or acts for achieving the specific function.

7. With regards to **claims 1, 2, 4-6, 8-10 and 12**, it is noted that said claims have invoked 35 U.S.C. 112, sixth paragraph and meet the 3-prong analysis. **Regarding said claims 1 and 2**, it is noted that said "means for judging" limitation is considered to read on the step S2 in Fig. 5 and paragraphs 0046-0047; "means for analyzing" limitation is considered to read on step S2 in Fig. 5 and paragraphs 0046-0047; "means for controlling a display" limitations are considered to read on step S4 in Fig. 5 and paragraph 0048. Furthermore, Fig. 19 teaches of a CPU 101 that controls/processes the steps implemented by the receiver 10. Therefore, since the steps are performed by the CPU 101, the corresponding structure exists in the specification. The CPU 101 is a statutory structure that performs the claimed "means for" limitations. **Regarding claims 4-6, 8-10 and 12**, it is noted that said "step for judging" limitation is considered to read on the step S2 in Fig. 5 and paragraphs 0046-0047; "step for analyzing" limitation is

considered to read on step S2 in Fig. 5 and paragraphs 0046-0047; "step for controlling a display" limitations are considered to read on step S4 in Fig. 5 and paragraph 0048.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-2, 5-6, 9, 10, 13, 14, 18-23, 25, 28, 32, 34 and 55** are rejected under 35 U.S.C. 103(a) as being anticipated by Wonfor (US 6,381,747) hereinafter "Wonfor", Hioki et al. (US 6,681,015) hereinafter "Hioki" and further in view of Okuyama (US 5,987,126) hereinafter "Okuyama".

**Regarding claim 1**, Wonfor teaches an information processing device, characterized by comprising:

judging means for judging whether restriction on recording is imposed on a program which a user desires to watch and listen to (Tables 1-2 and col. 5, line 58 through col. 6, line 26 teaches a conditional access system module 38 that receives copy protection control information. Col. 6, lines 24-26 teaches "on/off/mode byte 50 determines which components of the copy protection process will be activated". The CPU 40 then controls the conditional access system module 38 to determine the contents of the copy protection control information);

analyzing means for analyzing the restriction if it is judged by said judging means that the restriction on recording is imposed on the program (Tables 1-2 (col.11-12) and col. 5, line 58 through col. 6, line 26 teaches a conditional access system module 38 that receives copy protection control information in the form of "Program Descriptor of PPV program" in Table 2. The CPU 40 then controls the conditional access system module 38 to determine the contents of the copy protection control information); and

Wonfor teaches in Col. 11, line 45+ teaches that a user interacts and "selects the "pay-to-tape option"". Selecting a "pay-to-tape option" suggests a user is able to see the "pay-to-tape option", however Wonfor fails to particularly teach display control means for controlling a display to display on a screen a message concerning an analysis result of said analyzing means.

In an analogous recording protection art, Hioki teaches in Fig. 10 (A, B) and respective description of displaying a message of "PAY REQUIRED TO RECORD THIS TITLE, IT IS \$ XXX PER T MINUTE, RECORD?" when a recording restriction is analyzed (col. 9, lines 60-66 recites "In the next step S5, the CPU 32 of the STB 12 determines whether or not the title currently under recording is free of charge to record. That is, the CPU 32 determines whether the title recording requires pay or no pay, according to the program information received from the stream selector 24. If pay is required, a billing confirmation message shown in FIG. 10(A) or FIG. 10(B) is displayed on the screen").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to display on a screen a message



regarding an analysis of analyzing a restriction on the recording as taught by Hioki into the system of Wonfor because such incorporation increases the user friendliness of the system by making aware to the user the restrictions placed on a desired program.

However, although the system of Wonfor allows for the judging of a restriction placed on a particular program, it fails to particularly teach that said analyzing is based on whether the type of content included in the program is digital television content, digital audio content, or digital data content, and said analyzing is further based on the format of the content included in the program, each possible format of the content being cross-referenced to a plurality of copy control types and a plurality of digital recording control data, such that for each of digital television content, digital audio content, or digital data content there are at least three formats and each format of each type of content is cross-referenced to a plurality of copy control types and a plurality of digital recording control data.

In an analogous art, Okuyama teaches the claimed wherein said analyzing is based on whether the type of content included in the program is digital television content, digital audio content, or digital data content (it is noted that the instant claims discusses that "said analyzing is based on whether the type of content included in the program is digital television content, digital audio content, **or** digital data content" and furthermore that "for each of the digital television content, digital audio content, **or** digital data content there are at least three formats ...", and said limitations are presented in the alternative form, therefore, col. 12, lines 48-54 teaches of a "DVC" format and col. 13, lines 52-55 teaches of "MPEG TS" format. Col. 17, lines 28-39 ties in the teachings

of Figs. 17-20 (Four different copy protection scheme of the IEEE standard) with the copy protection types that already exist in the DVC and MPEG TS format. Therefore, the IEEE 1394 processing system implements all four different copy protection schemes (CMGS, SCMS, APS and DSB, which is further discussed in the rejection below). It is noted that since the limitations are presented in the alternative form, the DVC and MPEG TS formats meets either or both the "digital television content" and/or "the digital audio content" and/or "the digital data content".), and said analyzing is further based on the format of the content included in the program (Col. 21, Table 1 (and respective recitations) teaches at least 3 possible formats in the form of 1) CGMS effective and SCMS effective, 2) CGMS effective and SCMS ineffective and 3) CGMS ineffective and SCMS ineffective), each possible format of the content being cross-referenced to a plurality of copy control types and a plurality of digital recording control data (As illustrated in Fig. 20, the four different copy protection data each has their sets of "copy control types" and "digital recording control data". The CGMS and SCMS meets the claimed a plurality of copy control types and the data stored therein in the isochronous packets (first through eight cycles) includes a plurality of "digital recording control data" in the form of "11, 10 and 00" for both the CGMS and the SCMS types), such that for each of the digital television content, digital audio content, or digital data content there are at least three formats (Col. 21, Table 1 (and respective recitations) teaches at least 3 possible formats in the form of 1) CGMS effective and SCMS effective, 2) CGMS effective and SCMS ineffective and 3) CGMS ineffective and SCMS ineffective) and each format of each type of content is cross-referenced to a plurality of copy control

types and a plurality of digital recording control data (As illustrated in Fig. 20, the four different copy protection data each has their sets of "copy control types" and "digital recording control data". The CGMS and SCMS meets the claimed a plurality of copy control types and the data stored therein in the isochronous packets (first through eight cycles) includes a plurality of "digital recording control data" in the form of "11, 10 and 00" for both the CGMS and the SCMS types).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to analyze a restriction on a program based on whether the type of content is digital television content, digital audio content, digital data content and further based on at least three formats of the content as taught by Okuyama into the system of Wonfor and Hioki because such incorporation enhances the restriction capability by applying restrictions using a multitude of formats.

**Regarding claim 2**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 1 above, furthermore, Wonfor teaches the claimed wherein in accordance with each of a case where said analyzing means determines that analog recording is released by paying an additional fee (Col. 11, line 45+ teaches that a user "selects the "pay-to-tape option"". The "pay-to-tape option" releases an analog recording (i.e. medium is a video cassette tape medium)), a case where said analyzing means determines that analog recording is allowed, but digital recording is not allowed (as discussed above, and additionally, Wonfor only allows the programs to be stored in a video cassette tape and teaches in Fig. 2, between elements 10 and 24, that the video to be recorded is an analog video output) and a case where

said analyzing means determines that neither analog recording nor digital recording is allowed, said display control means controls the display on the screen to make the user recognize the respective cases (Hioki teaches in Fig. 10 (A, B) and respective description of displaying a message of "PAY REQUIRED TO RECORD THIS TITLE, IT IS \$ XXX PER T MINUTE, RECORD?" when a recording restriction is analyzed (col. 9, lines 60-66 recites "In the next step S5, the CPU 32 of the STB 12 determines whether or not the title currently under recording is free of charge to record. That is, the CPU 32 determines whether the title recording requires pay or no pay, according to the program information received from the stream selector 24. If pay is required, a billing confirmation message shown in FIG. 10(A) or FIG. 10(B) is displayed on the screen").

**Claims 5-6 and 9-10** are rejected for the same reasons as discussed above in claims 1 and 2, respectively.

**Claim 13** is rejected for the same reasons as discussed in claim 1 above, and additionally, Wonfor teaches a display (Fig. 2, TV displays 22 and 28), and teaches a microcontroller (met by CPU 40 in the discussion of claim 1 above).

**Regarding claim 14**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 13 above, and furthermore, Wonfor teaches in Fig. 2 of a Digital PPC Set Top Box 10 that receives the broadcast programs.

**Regarding claim 18**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 13 above, and furthermore, Wonfor teaches the claimed wherein said display is adapted to display said program (Fig. 2, TV 22) and said instructions further comprise instructions for causing said processor to

perform said identifying, said analyzing and said controlling steps before said display of said program (A CPU 40 processes the copy control information (as discussed above in claim 13) before the program is displayed. In a PPV service, the conditions as listed in Table 2 are processed prior to the viewing/recording of the program).

**Regarding claim 19**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 13 above, and furthermore, Wonfor teaches the claimed wherein said program requires paying money for said display of said program (Col. 11, lines 45-54 teaches that a user is billed for purchasing a program for a display purpose).

**Regarding claim 20**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 13 above, and furthermore, Wonfor teaches the claimed wherein said system further comprises a recorder adapted for copying said program (A recorder 24 in Fig. 2 is adapted to copy the program) and said instructions further comprise instructions for causing said processor to perform said identifying, said analyzing and said controlling steps before said copying of said program (A CPU 40 processes the copy control information (as discussed above in claim 13) before the program is displayed. In a PPV service, the conditions as listed in Table 2 are processed prior to the viewing/recording of the program).

**Regarding claim 21**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 13 above, and furthermore, Wonfor teaches the claimed wherein said program requires paying money for said copying of

said program (Col. 11, lines 53-65 teaches that a user is billed for purchasing a program for a recording purpose).

**Regarding claim 22**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 13 above, and furthermore, Wonfor teaches the claimed wherein said instructions further comprise instructions for causing said processor to perform the step of controlling said display to display a menu containing interactive prompts for receiving said person's input (As discussed in claim 13 above (via claim 1), wherein Hioki teaches in Fig. 10 (A, B) and respective description of displaying a message of "PAY REQUIRED TO RECORD THIS TITLE, IT IS \$ XXX PER T MINUTE, RECORD?" when a recording restriction is analyzed (col. 9, lines 60-66 recites "In the next step S5, the CPU 32 of the STB 12 determines whether or not the title currently under recording is free of charge to record. That is, the CPU 32 determines whether the title recording requires pay or no pay, according to the program information received from the stream selector 24. If pay is required, a billing confirmation message shown in FIG. 10(A) or FIG. 10(B) is displayed on the screen"). Fig. 10 (A,B) allows for user prompts in the form of "YES" and "NO" button displayed on the screen).

**Regarding claim 23**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 13 above, and furthermore, Wonfor teaches the claimed wherein said prompts include a prompt for said person to acknowledge the presence of said copy-protected data within said program (As discussed in claim 13 above (via claim 1), wherein Hioki teaches in Fig. 10 (A, B) and

respective description of displaying a message of "PAY REQUIRED TO RECORD THIS TITLE, IT IS \$ XXX PER T MINUTE, RECORD?" when a recording restriction is analyzed. Fig. 10 (A,B) allows for user prompts in the form of "YES" and "NO" button displayed on the screen (col. 9, lines 60-66 recites "In the next step S5, the CPU 32 of the STB 12 determines whether or not the title currently under recording is free of charge to record. That is, the CPU 32 determines whether the title recording requires pay or no pay, according to the program information received from the stream selector 24. If pay is required, a billing confirmation message shown in FIG. 10(A) or FIG. 10(B) is displayed on the screen"). By selecting either the "YES" or "NO" button, the user has acknowledged the presence of the copy-protected data).

**Claim 25** is rejected for the same reasons as discussed in claim 18 above and furthermore, Wonfor teaches in col. 12, Table 2 of "Pay-to-tape" and "Pay-to-view" options.

**Regarding claim 28**, the system of Wonfor that the copy protection data can be implement on video signals that are of analog or digital format (col. 12, lines 50-52 and 55-58).

**Claim 32** is rejected for the same reasons as discussed in claim 13 above, when the display shows the options to select a program for viewing/recording (Col. 12, Table 2, teaches "Pay-to-tape" and "Pay-to-view" options), the system has been controlled to display the copy protection information (as in the discussion with reference to Hioki in claims 13 above (via claim 1)).

**Claim 34** is rejected for the same reasons as discussed in claim 13 above.

**Claim 55** is rejected for the same reasons as discussed in claim 13 above.

8. **Claims 4, 8, 12 and 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wonfor (US 6,381,747) in view of Hioki (US 6,681,015) in view of Okuyama (US 5,987,126) and further in view of Tsutsumi (US 5,737,477) hereinafter "Tsutsumi".

**Regarding claim 4**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 1 above, however fails to particularly teach that the message is displayed for a predetermined time.

In an analogous art, Tsutsumi teaches of a system where a message displayed to a user via a display unit is removed from the display unit after a certain period of time (col. 5, lines 36-41).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to display a message on a display unit for only a predetermined time as taught by Tsutsumi into the proposed combination of Wonfor, Hioki and Okuyama because such incorporation allows for the benefit of increasing user friendliness so that the user can continue to watch the program without having to input any further instructions to remove the display of the message.

**Claim 8** is rejected for the same reasons as discussed above in claim 4 because a device inherently uses methods to accomplish its' tasks.

**Claim 12** is rejected for the same reasons as discussed above in claim 4.



**Regarding claim 31**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 13 above, however fails to particularly teach that the message is displayed for a predetermined time.

In an analogous art, Tsutsumi teaches of a system where a message displayed to a user via a display unit is removed from the display unit after a certain period of time (col. 5, lines 36-41).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to display a message on a display unit for only a predetermined time as taught by Tsutsumi into the proposed combination of Wonfor, Hioki and Okuyama because such incorporation allows for the benefit of increasing user friendliness so that the user can continue to watch the program without having to input any further instructions to remove the display of the message.

9. **Claim 24** is rejected under 35 U.S.C. 103(a) as being unpatentable over Wonfor (US 6,381,747) in view of Hioki (US 6,681,015) in view of Okuyama (US 5,987,126) and further in view of Alten et al. (US 5,781,246) hereinafter "Alten".

**Regarding claim 24**, the proposed combination of Wonfor, Hioki and Okuyama teaches the limitations as discussed in claim 22 above, however fails to specifically teach that while watching a program, the user has the ability to cancel viewing the program or cancel displaying of said information.

In a related art, Alten teaches that while watching a certain channel, a user can change the channel by entering a channel number by way of a keypad or by using

channel up/down buttons. When the user changes the channel, the program being viewed is no longer displayed on the screen, and thereby cancelled for viewing (col. 12, lines 43-54).

A user is able to maneuver through numerous channels by way of a remote control with channel changing buttons. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the ability to change channels into the proposed combination of Wonfor, Hioki and Okuyama et al.'s system because such incorporation allows for the benefit of increasing user friendliness by giving the user an option to watch what he wants at any given time.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GELEK TOPGYAL whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter-Anthony Pappas can be reached on 571-272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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/Gelek Topgyal/  
Examiner, Art Unit 2481

/Peter-Anthony Pappas/  
Supervisory Patent Examiner, Art Unit 2481